

JC04 Rec'd PCT/PTD 28 SEP 2005

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FORM T-TO-1390 (REV. 120-2004)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S SOCKET NUMBER  <b>21415-0014</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  <b>10/524,539</b>
INTERNATIONAL APPLICATION NO.  <b>PCT/AU2003/001021</b>	INTERNATIONAL FILING DATE  <b>12 August 2003 (12.08.2003)</b>	PRIORITY DATE CLAIMED  <b>12 August 2002 (12.08.2002)</b>		
TITLE OF INVENTION  <b>IMMUNOMODULATING COMPOSITIONS, PROCESSES FOR THEIR PRODUCTION AND USES THEREFOR</b>				
APPLICANT(S) FOR DO/EO/US  <b>Ranjeny THOMAS and John Brendan O'SULLIVAN</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> had been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
<b>Items 11 to 20. below concern document(s) or information included:</b>				
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: International Search Report; copy of Notice (dated 8/9/05)</p>				

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.71)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10,524,539		PCT/AU2003/001021		21415-0014	

21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee .....\$200.00 <input type="checkbox"/> c) Search fee.....\$500.00  <div style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></div>				<b>CALCULATIONS PTO USE ONLY</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE		
-100 =	12/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	60- 20 =	40	x \$50.00	\$ 2,000.00	
Independent claims	8 - 3 =	5	x \$200.00	\$ 1,000.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 3,490.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 1,745.00	
<b>SUBTOTAL =</b>				\$ 1,745.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,745.00	
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,745.00	
				<b>Amount to be refunded:</b>	\$
				<b>Amount to be charged:</b>	\$

a. <input checked="" type="checkbox"/> A check in the amount of <b>\$ 1,745.00</b> to cover the above fees is enclosed.	
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.	
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment To Deposit Account No. <b>08-1641</b> A duplicate copy of this sheet is enclosed.	
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**Paul M. Booth**  
**HELLER EHRMAN**  
 1717 Rhode Island Avenue, NW  
 Washington, D.C. 20036  
 Customer No. : 26633

SIGNATURE

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NAME Date

Paul M. Booth September 27, 2005

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REGISTRATION NUMBER

40,244



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,539	Ranjeny Thomas	21415-0014

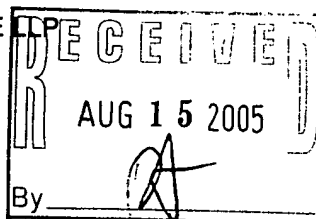
INTERNATIONAL APPLICATION NO.
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PCT/AU03/01021

I.A. FILING DATE	PRIORITY DATE
08/12/2003	08/12/2002

26633

HELLER EHRMAN WHITE & MCAULIFFE  
 1717 RHODE ISLAND AVE, NW  
 WASHINGTON, DC 20036-3001



CONFIRMATION NO. 1436

371 FORMALITIES LETTER



\*OC000000016706225\*

Date Mailed: 08/09/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/14/2005
- Copy of the International Search Report filed on 02/14/2005
- Copy of IPE Report filed on 02/14/2005
- Preliminary Amendments filed on 02/14/2005
- Copy of references cited in ISR filed on 02/14/2005
- U.S. Basic National Fees filed on 02/14/2005
- Priority Documents filed on 02/14/2005
- Specification filed on 02/14/2005
- Claims filed on 02/14/2005
- Abstracts filed on 02/14/2005
- Drawings filed on 02/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,539	PCT/AU03/01021	21415-0014

FORM PCT/DO/EO/905 (371 Formalities Notice)